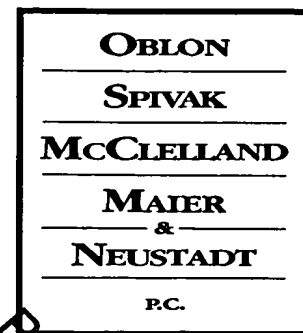




Docket No.: 217408US0CONT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



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RE: Application Serial No.: 10/022,874
Applicants: Chika NAKANISHI, et al.
Filing Date: December 20, 2001
For: DIHYDROPYRIDINE DERIVATIVES
Group Art Unit: 1625
Examiner: Fan, Jane T.

SIR:

Attached hereto for filing are the following papers:

Response to Restriction and Election of Species Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO.: 217408US0CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Chika NAKANISHI, et al.

SERIAL NO.: 10/022,874

FILED: DECEMBER 20, 2001

FOR: DIHYDROPYRIDINE DERIVATIVES

:

: GROUP ART UNIT: 1625

:

: EXAMINER: FAN

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

In response to the Official Action dated February 26, 2003, Applicants elect, with traverse, Group I, Claims 2-11, 18 and 1, 12-17, 19-21 (all in part) wherein F is formula (4), drawn to 1,4-DHPs. With the election of Group I, Applicants note that an election of Species is not required. In the event that the Examiner later determines that an election of Species is, in fact, required, Applicants elect, with traverse, the compound of Example 12 (the structure of which is shown on page 117 of the specification). Claims 2-11, 18 and 1, 12-17, 19-21 read on the elected species.

REMARKS

The Office has restricted this application as follows under 35 U.S.C. §121:

Group I: Claims 2-11, 18 and 1, 12-17, 19-21 (all in part) wherein F is formula (4), drawn to 1,4-DHPs; and

Group II: Claims 1, 12-17, 19-21 (all in part) wherein F is formula (5)-(8), drawn to tricyclic hetero-compounds.

In addition, the Examiner is requiring an election of a single disclosed species if Group II is elected.

